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1631

Atty. Docket No.: 10069/1004 PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Colyer, et al.  
Serial No.: 10/037,212  
Filed: January 4, 2002  
Entitled: "Chemical Modification"

Examiner: M. Borin  
Group Art Unit: 1631  
Conf. No.: 6487

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313.

Elizabeth Spar  
Name of Person Mailing Paper  
*Elizabeth N. S.*  
Signature of Person Mailing Paper

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Restriction Requirement; and
2. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 10069/1004.  
A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: March 23, 2004

*Elizabeth N. S. Reg # 45,123 fm*

Name: Kathleen M. Williams  
Registration No.: 34,380  
Customer No.: 29933  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100



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**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In response to the Restriction Requirement dated February 23, 2004, Applicants elect Group III.1, Claims 38-52,91, drawn to a method to monitor activity of an enzyme comprising monitoring addition or removal of a phosphate moiety for prosecution on the merits, with traverse.

Applicants respectfully request clarification of the species election referred to on page 11 of the Restriction Requirement. The species election refers to claims 12 and 13. The claims as filed with the application were incorrectly numbered such that the patent application was not filed with claims 12 and 13. In view of the lack of clarity regarding claims 12 and 13, and since the claims of elected group III.1 do not refer to fluorescently labeled peptides, Applicants have not responded to the species election.

This Response is being filed within 30 days from the Restriction Requirement mailed February 23, 2004 and no fee is believed to be due. However, should any fees be required to ensure consideration of this response, the Commissioner is authorized to charge Deposit Account 16-0085, Reference No. 10069/1004.

Respectfully submitted,

Date: March 23, 2004

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